App F IX 4

1946 (M)

File No 54-46

Previous References

PH Dep no 356-44
Rev 55-41 (53, 56)

Serial Nos. 1-2

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

Part B for

SUBJECT

Dispensing with the services of Abdul Basith Va as inamdar Kolenarasipur Town municipality

-Rook-57 & 22.1.46

Directs that the Collector may pass orders re — — for

6389

G. & REV. SECRETARIAT 9191 19 JUNE 1946 G. C. BRANCH

Serial No

Letter No C V Coll 10 dated 28.5.1946 / 4.6.1946 from the Director of P H recommending in the circumstances stated sanction to dispensing with the services of one Mr Basil Vaccinator Kolencherry Municipality transferred to Kanjangad Municipality

The facts of the case are explained in detail in the letter. The Dr was asked in this office letter No dl 7872 dated 23.2.46 to take such action as he deemed fit against the official for his misconduct. The Dr now recommends that, for reasons explained, the services of the Vaccinator may be ordered to be dispensed with with effect from 25.11.43 the date on which he was relieved of his duties in Kasaba Municipality on transfer to Kanjangad Municipality. The Vaccinators are under the administrative control of local bodies as per G O No dl 7943 55/ dll 55 41/ 56 dated 3.3.42. It is therefore submitted for consideration if this may be transferred to d & G Sr for taking needful action and issue of orders in the matter.

17.6.46

2 — for remarks.

17/6

Asst Secy (Hlth Wfe)

3 Inspite of the orders issued by the Dr of P Health transferring the

NOTE—Contn Sheet

9191

File No of 194

General and Revenue Secretariat

Serial No

Vaccinator to the Nanyang who, the Vaccinator never cared to obey the orders. The Dr of P. Health recommended that the services of the Vaccinator may be dispensed with with effect from 25-4-43, the date on which he was relieved at Kolonnawa pus.

K/S 19/6 4 Submitted for orders
Are all the reps quoted on the O/S complete?
for
19/6 pus

1 Submitted All the available references are put up.
Wks 20/6 In view of the bad behaviour reported by the Dr and the subsequent recalcitrant attitude of the Vaccinator, Board Basith who was working in Kolonnawa from 9/43. his services may be dispensed with as recommended by the Dir of Public Health with effect from 25/11/43
Revised for
20/6 Wks

7 Don't this a matter to be attd by Secy? Dons 24/6

8 A Vaccinator's dismissal?

Secy
24/6

9191
L

9 sealed with a draft letter for appl

28/6 4) He is a municipal Vaccinator
no power of the kind or to the same
the Director of some Health by
been empowered to dismiss a Vaccinator
hence Sanction of Govt is necessary
to dispense with his services
Rejecting the proposal
necessary for
M/Health.

11) Board may kindly
intimate delay
if over 2 1/2 years
Sons
8/7
for
M/Health

12) Sealed with a draft letter for appl
9/7

13) Issued
9/7 Mk

TYPING SECTION
9 JULY 1946
GOVT. & PRIV SECTT

To The Dr of Health
No L 574 dt 10-7-46
Calls for some information

Letter NOCE 5-22/46-47 dt 17-7-46 from the Director of Health furnishing the information

14) Does reported that the delay in applying for the sanction of Govt was due to the fact that the matter was

91911/657/2

under Correspondence with the Dy Comm's of Mysore & Hassan & that the delay was unavoidable

15) subject with reference to para 11 supra

WMB 27/7

Received 27/7/46

OFFICE OF THE MINISTER FOR AGRICULTURE
JUL 30 1946
1935

16) The Explanation for delay is unacceptable The Vaccinator's services may however be dispensed with as recommended

Minister for Agr) 30/7

17) I agree the Dy Secy 30/7/46 be told that the moderate delay appears to have been allowed to occur

30/7

31/7

18) Dft ltr

1/8/46

19) Submit with a draft G.O for appl

WMB 6/8

TYPING SECTION
6 AUG 1946

20) [illegible]

657/2 Fml 54-46 657 V 2395

C 341-46
d 11-8-46

sl 2 To the Dr of P. Health
The D C Hassan Dt
The D C Mysore Dt
The Comptroller

No L 2854-7 Dy 22-8-46
Directs that the services of the Vaccinator, C Abdul Basith be dispensed with, with effect from 25-11-43.
Submd with a draft DO letter for appl as directed in paras 17 & 20.

JM 5/9
6/9

To the Dr of P. Health
No L 3440 D. 9-9-46
Pointed out that there was an inordinate delay (over 2½ years) in taking action in the case & it ought not to have been allowed to occur

TYPING SECTION
9 SEP 1946
SECTT

Letter No CES-85/46-47 Dy 20-9-46 from the Director of Public Health stating that his office is in no way responsible for the inordinate delay in taking action against the Vaccinator, C Abdul Basith

"N" A D.O letter was issued to the Dr of P Health as per minutes of the Minister for Agriculture in Para 17 supra.

The Dr of P Health in reply to the DO letter states that his office is in no way responsible for the delay & submits for perusal no action is called for

26/9 File

DEPARTMENT OF PUBLIC HEALTH

No C.V. Est 10

Office of the Director of Public Health
in Mysore,
Bangalore, dated 28th May 1946
4th June

6389/47

P H 153-45-1

To

The Secretary to Government,

Education Department,

BANGALORE

EDUCATION SECRETARIAT
No L H
Date 5/6
Sir

4641/2-L6/4

Re: Dispersing with the services of C Abdul Basith, Vaccinator, Holenarsipur Town Municipality

I have the honour to state that the above Vaccinator was working in the Holenarsipur Town Municipality The Deputy Commissioner, Hassan in his confidential D.O. Letter No P.C 34/43 dated 4-10-1943 (copy and its enclosures enclosed) complained that the above Vaccinator entered the house of a Tailor on 24-9-1943 at 2 30 P M on the pretext of searching the house to see if there were any food grains etc , even though he was not authorised to do so by his Superior Officers andthat his intention in doing so was to molest a young woman etc , and finally requested for his transfer immediately owing to the unsatisfactory conduct of the Vaccinator which may result in the abnormal communal feelings

M-H W 6/6 "B"

In the interests ofPublic Service and on the specific recommendation of the Deputy Commissioner, Hassan, he was transferred to Nanjangud Town with this Office Memo No H.E.V 66 dated 18-11-1943 (copy enclosed) and the Deputy Commissioner, Hassan was addressed in this Office letter No HEV 75 dated 31-12-1943 to take disciplinary action against the Vaccinator

(Letter No 4 Reverse of flag "B") (Not found)

He was relieved from Holenarsipur Town Municipality on the afternoon of 25-11-1943 and directed by the President to report himself for duty to the President, Municipal Council, Nanjanagud, forthwith

The above Vaccinator in his several petitions went on praying for cancellation of the above transfer orders and applying for leave from 26-11-1943 bit by bit with some pretext or other

All his petitions for sanction of leave, received from

time to time have been sent to the proper authorities competent to sanction the leave for disposal

In reply to his petition dated 24-6-1944 praying for permission to join duty at Nanjangud after 6 months as also for the disbursement of his leave in this office Memo No HEV 24 dated 12-8-1944 to the effect that the time asked for cannot be granted in the interests of Public Service and that he should join duty at Nanjangud Municipality immediately failing which his services would be dispensed with He was also intimated to apply to the local body where he is posted for the disbursement of his leave allowances The above petitions were forwarded to the Deputy Commissioner, Hassan, to direct the official to rejoin duty at Nanjangud immediately

In reply to his further representation dated 12-8-1944 regarding sanction of extension of leave from 25-7-1944, with this Office Memo No H.E V 38 dated 19-9-1944, his attention was drawn to this Office Memo ~~#~~ dated 12-8-1944 read above, and he was intimated that he should join duty within a week and that that he will not be allowed to continue in service if he fails to do so

In spite of the above two Memos from this Office, the official never joined duty On receipt of this information from the President, Municipal Council, Nanjanagud with his letter No O.C.67 dated 5-10-1944, the Deputy Commissioner Mysore was requested with this Office letter No~~H~~EV. 51 dated 18-10-44 (copy enclosed) to dispense with his services as he has failed to join duty ever after 11 months of ~~his~~ his transfer disobeying this Office orders even though his leave application was refused and failed to discharge the duties entrusted to him as a responsible executive Government Official especially at a time when his services were badly required at Nanjangud Town in the interests of Public Service

In reply to the above, the Deputy Commissioner, Mysore stated in his letter No D 3 C 1131 dated 4-11-1944 stating that the above official has not joined duty at the Nanjangud Town Municipality and that he has no jurisdiction to punish him

In this Office letter No H.E.V 86 dated 8-12-1944, the Deputy Commissioner, Mysore District was appraised of the powers vested in him under Government Order No L 6052-125 Ml 158-26-1 dated 1-3-1927 and G.O. No L 7943-55/Ml 55-41-56 dated 3-3-1942 as the above official was not a lent official

"M" "N"

The Deputy Commissioner, Mysore in his letter No L. Dis D 3 C-1131/44 dated 16-12-1944 again stated that either the Deputy Commissioner, Hassan or this Office might take disciplinary action against official as he has not joined duty at the Nanjangud Municipality even though he has transferred from Hosenarsipur Town to Nanjangud Town and is relieved of his duties

(Reverse of "Flag C")

In the meanwhile, the official submitted a Memorial dated 26-12-1944 addressed to the Secretary to Government, Development Department, Bangalore, alleging that the Director of Public Health hadpassed orders dismissing him from the service and prayed for his reinstatement

In reply, Government in their endorsement No M 7109/P.H dated 3-2-1945 addressed to the party had stated that they see no reason to interfere with the orders passed by the Director of Public Health

"O"

In this Office letter No H E.V 110 dated 12-2-1945, the Secretary to Government, Education Department, Bangalore, has also been intimated that no action has been taken by this office against the above official as alleged by him

"E"

The above official has again represented to the Minister for Local Self-Government, Bangalore, in his petition dated - 23-1-1945 praying for reinstatement and the same has been forwarded to this Office, by the Secretary to Government, Education Department, Bangalore, with his No 7872/P.H. 1-44-34 dated 23-2-45 for taking necessary action against the official in view of the misstatements made by him

"F"

"G"

The wife of the above official has now prayed in her petition dated 18-4-1946 for reinstatement of her husband It may be seen that this official who is reported to be having bad benaviour and conduct has deliberately disobeyed the order of transfer - passed on 18-11-1943 for well over two years on some pretext or other with a view to get the order cancelled by taking long leave

(Reverse of "Flag B")

even though it was refused in the interests of Public Service His absnece has caused considerable inconvenience in times of epidemic of Small-pox He has set in all a bad precedence He therefore richly deserves the punishment viz , dispensing with his services with effect from 25-11-1943afternoon

Reverse 3 flag 'c'

As the Deputy Commissioner, Mysore has written that he cannot punish him in his letter No D 3 C 1131/44 dated 16-12-1944 (copy enclosed) on the grounds that the said official has not at all joined duty at Nanjangud and as it is not fair to ask the Deputy Commissioner, Hassan to imposd the above punishment on the Vaccinator, since the official has already been relieved of his duties on the afternoon of 25-11-1943 from Holenarsipur Town Municipality in which place he has no longer any lien, and as this office has no control over this Municipal Vaccinator as the cadre of Vaccinators has not been provincialised like Sanitary Inspectors, I request you to be so good as to obtain and convey sanction of Government, in the interests of Public Service, dispensing with the services of C Abdul Basith, Vaccinator, Holenarsipur Town Municipality transferred to Nanjangud Town Municipality (not reported) with effect from 25-11-1943 afternoon, the date on which he was relieved of his duties at Holenarsipur Town Municipality

I have the honour to be,
Sir,
Your most obedient servant,

O. Gauthier

Director of Public Health

AR

Rc 8/15

1 Confidential D.O. No P.C 34/43 dated 4-10-1943 from the Deputy Commissioner, Hassan, to the Director of Public Health in Mysore, Bangalore

---

I write to state that one J.P. Khanderaya Setty, Representative Assembly and District Board Member and Municipal Councillor of Holenarsipur brought to my notice through a petition that the Municipal Vaccinator Abdul Basith of Holenarsipur entered the house of a Tailor on the pretext of searching the house if there were any food grains etc , and his intention in doing so was to molest a young woman I got enquiries made by the President of the Municipality and copy of his report is enclosed herewith The President has further reported that he had not asked the Vaccinator to make any enquiries about foodgrains Under these circumstances, I consider the conduct of the Vaccinator very unsatisfactory and request that he may be transferred to some other place and a substitute transferred to this place.

---

2 D.O. No P.C 25/43 dated 29-9-1943 from the Amildar, Holenarsipur, to the Deputy Commissioner, Hassan District

---

With reference to your kind Memo No P.C 39-43 dated the 26th instant calling for a report regarding the alleged assault of a woman by Abdul Basith, Vaccinator, I beg to state that at about 2 30 P.M. on the 24th instant, one tailor Shama Rao came and complained to me that Vaccinator Abdul Basith, had entered his house during his absence under the pretext of examining the stock of food grains in his house and assaulted his wife who was at the time all alone in the house The Vaccinator was sent for immediately and confronted with the complainant He denied having assaulted the complainant's wife in any manner but admitted that he called out for the complainant at his house for ascertaining from him whether certain rumours that were afloat that grains were stocked in his house were true, but on learning from his wife that he was not at home, he was leaving the house when the complainant's wife questioned him as to why he wanted to see her husband and that he told her that he wanted to ascertain from him what stocks of grains he had and left the house The complainant was advised to lodge a complaint before the Munsiff-Magistrate regarding the alleged assault As the Vaccinator had no business to go on making -

enquiries regarding stocking of grains and had acted in a manner leading to suspicion he was fined Rs 5/- with a severe warning that a repetition of such behaviour will entail his summary dismissal from service, considering the fact that his character had not been questioned till now I also made independent confidential enquiries into the alleged assault by the Vaccinator and fine the allegations do not find support

The complainant's wife appeared before me to-day with her husband and presented a petition narrating the incidents alleged to have occurred on the 24th instant and stated that she had lodged a complaint before the Munsiff-Magistrate and that the case was posted for hearing to the 4th proximo I beg to bring to your kind notice that there are no indications of this incident having engendered any bitterness of feelings between the Hindus and Muslims in the Town

---

3 Letter No 26/43 dated the 3rd October 1943 from the Amildar Holenarsipur to the Deputy Commissioner, Hassan District

---

With reference to your kind D.O. Letter No P.C 39-43 dated the 30th ultimo, enquiring whether Abdul Basith, Vaccinator, had been authorised in any way to enter the house or to make enquiries regarding stocks of foodstuffs, I beg to report that the official had not been authorised to do so I beg to submit that his explanation was not recorded as he had expressly admitted before me in the presence of the complainant that he had called out for the complainant at his house for ascertaining from him the stocks of grains he had with him

---

4 MEMO No HEV 56 dated 18-11-1943 from the Director of Public Health in Mysore, Bangalore

---

The transfer of the following Vaccinator is ordered in the interest of Public Service:-

Name	From	To	Remarks
C. Abdul Basith	Holenarsipur Town	Nanjangud Town	FORTHWITH

*****

Letter No HEV 51 dated 18-10-1944 from the Director of Public Health in Mysore, Bangalore, to the Deputy Commissioner Mysore District, Mysore

---

Re- C Abdul Basith, Vaccinator, Holenarsipur

As per confidential D.O Letter No PC 36/43 dated 4th October 1943 of the Deputy Commissioner, Hassan District, reporting that the above Vaccinator molested a certain young woman with the pretext of searching for food grains, etc , and requesting to transfer the official from Holenarsipur, I have the honour to state that an order of his transfer was issued in this office Memo No HEV.66 dated 18-11-1943 transferring him to Nanjangud Town

The Vaccinator was relieved of his duties on the afternoon of 25-11-1943 vide letter No Gl 489/43 dated 8-12-1943 addressed to the President Municipal council, Holenarsipur in this office D O letter No HEV 75 dated 31-12-1943 addressed to the Deputy Commissioner, Hassan District, it was requested to suspend the above official or dispense with his services taking into consideration the grave charges framed against him

The case filed against him in the Munsiff-Magistrate's Count Holenarsipur, on the above counts was, however, squashed off, perhaps due to circumstantial evidences The behaviour of the Vaccinator however, counts as a black mark in his official career, as the nature of work he is engaged in, is such that he will have to move with respectable ladies in the course of discharging his official duties

It is nearly 11 months since he was relieved of his duties at Holenarsipur and he has been constantly applying for leave ever since 26-11-43 in piece-meal with some pretext or other He was also endorsed in Memo No HEV 24 dated 12-8-1944 to the effect that the leave cannot be granted and that his services would be dispensed with, if he does not join duty immediately A final Memo was also issued to the official in this office Memo No HEV 38 dated 19-9-44 drawing his attention to the above Memo dated 12-8-44 and stating that he will not be allowed to continue in service, if he does not join duty within a week from 19-9-1944

This official without giving heed to any of the above Memos of this office, has been petitioning for the sanction of leave

Thus it may be seen that he has not only disobeyed the above Memos, but also failed to discharge his duties as a responsible

Government Official, especially at a time when his services are badly required in the exigencies of Public Service He therefore does not deserve any lenient view and it is high time he is seriously punished

I therefore, request that his services may kindly be dispensed with immediately for not having joined duty at the office to which he was transferred some 11 months ago and for having been continuously applying for leave, even though the same was refused in the interests of Public Service

The action taken in the matter may kindly be intimated

Letter No L Dis D 3 C 1131/44 dated 16-12-1944 from the Deputy Commissioner, Mysore District, to the Director of Public Health in Mysore, Bangalore

---

Subject Dismissal of C. Abdul Basith, Vaccinator, under orders of transfer to Nanjangud

---

With reference to your letter No HEV 86 dated the 8th instant forwarding copies of C.O.Nos L 6052-125/M1 158-26-1 dated 1-3-1927 and L.7943-55/M1 55-41-56 dated 3-3-1942 about the recruitment, pay leave, punishment etc , of officials under the control of the Local Bodies, I have the honour to invite your kind reference to paras 1, 2, and 3 of your letter No HEV 51 dated 18-10-1944 addressed to this office reveals that the question of punishing C. Abdul Basith has originated as per D.O. Letter P.C 38 of 43 dated 4-10-1943 addressed to you by the Deputy Commissioner, Hassan District This official has never joined duby at Nanjangud since the date of his transfer and as such he cannot be treated to have been under the control of Nanjangud Municipality Moreover he has committed the breach of official discipline at Holenarsipur which place is under the jurisdiction of the Deputy Commissioner, Hassan District

In view of the above facts, I request that the official may be dealth with by you as he is now a direct subordinate of your Department

---

"COPIES"

AR

Director of Public Health

24/5

To The Dr of P Health

Sir, L 574 & 10-7-46.

With reference to your letter no C V Estt 10 Dy 4-6 46 recommending that the services of the Vaccinator, C Hqrs/Basth of the Holenarasipur Town may be dispensed with, with effect from 25-11-43, the date on which he was relieved at Holenarasipur, I am directed to request you to state why there has been an inordinate delay of over 2½ years in seeking the sanction of Govt in this behalf

I have &c

for Secy to Govt

Med Regd/Bk

No ~~C E 15 22/44~~ C E 5 = 22/46-47

Office of the Director of Public Health
in Mysore,
Bangalore, dated 17th July 1946

Mel. 54-46-1

To

The Secretary to Government,
Revenue Department,
BANGALORE

Sir,

Re C Abdul Basith, Vaccinator

With reference to your letter No L 574 dated 10-7-46 on the above subject, enquiring as to why there has been an inordinate delay of over 2½ years in seeking sanction of Government, etc , I have the honour to state that the Vaccinator who was under orders of transfer was relieved at Holenarsipur on 25-11-1943 Due to his continued absence on unauthorised leave, the question of dispensing with his services was taken up with the Deputy Commissioners, Mysore and Hassan Districts on 18-10-1944 and since then the matter was under correspondence with the above Officers Finally as per letter No M 7872/P H 1-44-34 dated 23-2-1945 from the Secretary to Government, Education Department forwarding a copy of petition of the said Vaccinator with observation to take such action as deemed fit in view of misstatements made by the Vaccinator etc , a detailed report was submitted to Government for orders

Under the above circumstances, I may state that the delay was unavoidable I request you to kindly obtain and convey early orders of Government for dispensing with the services of the Vaccinator

I have the honour to be,
Sir,
Your most obedient servant,

Director of Public Health

AR

G R S App F VI—G 2]

SUBJECT

Abd...

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Section Ml

File No 57-46

Serial No 2

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 22 8 1946

Signed by MVGRR

Read— Correspondence ending with letter No C E-5-22/46-47 8 17-7-46 from the Dr of Health in the matter of dispensing with the services of one C Abdul Basith, Vaccinator with effect from 25-11-1943, the date on which he was relieved at Hole Narasipur

Order thereon—No L 2854-7

It is reported by the Dr of Health that the Vaccinator C Abdul Basith while working in the Hole Narasipur Town mcp entered the house of a Tailor on 24-9-43 at 2 30 PM on the pretext of searching the house to see

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

of there were any food grains etc,
even though he was not authorised
to do so by his superior Officers,
that his intention in doing so was
to molest a young woman and that
as his retention in the same place
was considered undesirable, ~~and~~ upon
the recommendation of the Dy Comm, Hassandc,
the Vaccinator in question was accordingly
transferred to the Nanganad Town ship and
he was relieved, at Hole Narasipur on the
afternoon of 25-11-43 He further states that,
inspite of refusing the grant of leave, the
Vaccinator did not join duty at Nanganad
recommends therefore
& that the services may be dispensed with,
with effect from 25-11-43, the date on which
he was relieved at Hole Narasipur so that it
may serve as an example to others working
in the Deptt. I am agree with the Dr of P Health
and direct that the services of the Vaccinator
be dispensed with, with effect from 25-11-43

Enclosures

Copied by

Examined by

for
Rot secy to Govt

The Rev Deptt

To The Dr of Health
The D C Hassandc
The D C Mysore dc
The Comptroller.

WD 087—GPB—40 000—14 11 40

Appendix F G—1]

SUPJECT

Section

File No

Serial No

Diary No of letter replied to

No L3640

General and Revenue Secretariat

( )

the 194

To Dear Sir,

In continuation of
Govt no L 2854-78/Med 54-46-2 dt
22-8 46 directing that the services
of the Vaccinator, C Hqrs Bazaar be
dispensed with, with effect from
25-11-43, I am desired to point out
that the inordinate delay in taking
action in this case ought not to
have been allowed to occur

Date of issue 9.9 46

Signed by

Yours &c
for

To The Dr of Health
(by name)

List of enclosures

Copied by

Examined by

WD 0874—GPB—25 000—'0 11 4

BEN & C SECRETARIAT
2295
23 SEP 1946
L & G BRANCH

No CE5-95/1947

Office of the Director of Public Health
in Mysore,
Bangalore, dated 19th September 1946

To

The Secretary to Government,

Revenue Department,

BANGALORE

Sir,

Subject Re Vaccinator C Abdul Basith

With reference to your D O Letter No L 3440 dated 9th September 1946 on the above subject, stating that there was an inordinate delay of over 2½ years in taking action and that it ought not to have been allowed to occur etc , I have the honour to state that the reasons for the delay have already been intimated as per this Office No C.E 5-72 dated 17-7-1946

In this connection, I may state that the Vaccinator is a subordinate of the Local Body as such his appointment as well as punishment vests in the hands of the Deputy Commissioners of the District concerned, vide Govt Order No L 7943-55/M1 55-41-56 dated 3-3-1942

The Deputy Commissioner, Mysore, refused to take any action against the Vaccinator on the grounds that the official had not reported for duty at Nanjangud and the Deputy Commissioner, Hassan District could not take any action since the official had been relieved at Holenarsipur long before any action could be taken against him

Finally, the matter was brought to the notice of Government with reference to correspondence ending with letter No M 7872/P H 1-44-34 dated 23-2-1945 of the Secretary to Government, Education Department

Under the circumstances, I may state that this Office is in no way responsible for the inordinate delay in taking action against the Vaccinator

I have the honour to be,
Sir,
Your most obedient servant,

Director of Public Health

AR